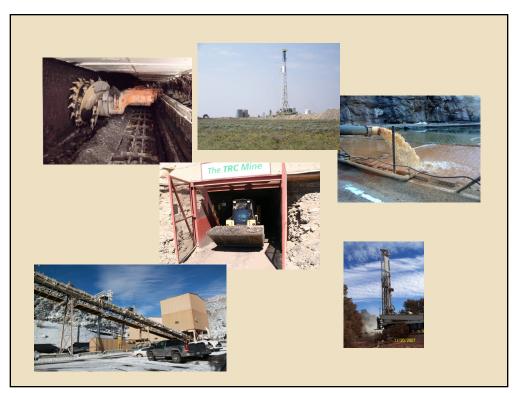
# Using Zoning to Regulate Energy Development

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#### Why Am I Here?

- 2 Active Power Plants
- Nuclear Project in the works
- 3 Active Coal Mines (others in closure or reclamation)
- Refinery (just approved last week)
- Coal Bed Methane
- Traditional Gas Wells
- Oil Wells
- Disposal Wells
- Uranium Mining
- Transmission lines Gas, Electric
- Renewable Energy Projects
- · Related industries
- Transportation, Repair, CO2, Clay, Helium, Gypsum

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## A little history and information on Emery County Zoning

- 92% of Emery County is federal or state owned land
- Prior to 1970, hundreds of family owned coal, uranium, copper mines spread all over the county
- Zoning ordinance first enacted in Emery County in 1970 – Power Plant Construction
- 1992 through 1998 –Revisions of zoning codes to address development of Coal Bed Methane
- 2004 County begins implementing of public lands policies into county general plan
- 2008, 2010 Revisions of ordinance to clarify land use authority and simplify processes
- 2012 General Plan reworked to simplify and reduce text

# Challenges Associated with Energy Development

- •Huge Impact minimal tax revenue (federal ownership)
- Declining employment higher production
- •Little motivation for operators to cooperate on federal or state land
- •Difficult to be an expert in oil, gas, uranium, power plants, transportation, etc.
- •Conflicts with other uses and priorities such as watershed, recreation, transportation
- •Roads, roads, roads

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### General Plan Strategies

- General Plan is relevant because almost every energy project requires a NEPA process
- Simple, short, straight forward plan with long, detailed appendices on specific issues
- Very clear on role of energy production in relation to other resources
- Watershed is higher priority than energy production

### **Zoning Strategies**

Mining, Grazing and Recreation Zone

No residential zone

Conditional Uses – EVERYTHING is a conditional use. Limits conflicts, provides method to regulate based on need

Level 1, Level 2, Level 3 Conditional Use Permits

Staff Review Meeting

Road Encroachment Permit

Nuisance Mitigation

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#### Keys to success

- •Communicate early and often
- Site Visits
- •Approve at the lowest possible level
- •Identify how zoning benefits the company
  - Liability
  - NEPA
  - · Road Encroachment Permit is the "big gun"
- •Develop relationships with other regulatory agencies DOGM, DEQ, Dept. of Health
- •Use agency documents as component to approval process. APD for oil and gas, Mine Plan for mines, etc.
- Approvals must be FAST!